Registered No. WB/SC - 320

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The Kolkata Gazette

Extraordinary

Published by Authority

MEGHA 15] FRIDAY, FEBRUARY 2, 2007 [SAKA 1928

PART I - Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

HIGH COURT AT CALCUTTA

NOTIFICATION

No. 133-G-9th January, 2007— In exercise of the powers conferred under Section 28 (1) of the Right to Information Act, 2005 the Chief Justice of the Calcutta High Court (Competent Authority) is pleased to make the following rules to carry out the provisions of the 'Act' falling within the jurisdiction of this High Court :—

Rules

1. Short title and commencement :—

- These rules may be called The Calcutta High Court (Right to Information) Rules, 2006.
- They shall come into force from the date of their publication in the *Official Gazette*.

2. Definitions :—

(1) In these Rules unless, the context otherwise requires,—

- 'Act' means The Right to Information Act, 2005 (No. 22 of 2005);
- 'Appellate Authority' means designated as such by the Chief Justice of High Court at Calcutta;
- 'authorized person' means Public Information Officers and Assistant Public Information Officer;

'Public Information Officer' shall mean - (i) the Deputy Registrar (Admn.) on the Appellate Side of the High Court and (ii) the Assistant Master and Referee on the Original side of the High Court (iii) Chief Judicial Magistrate in the District Courts (iv) the Additional Chief Judicial Magistrate in the respective sub-divisional courts.

Assistant Public Information Officer shall mean :—

(i) in the Appellate Side of the High Court —

(a) Assistant Registrars of the respective departments

(b) Section Officer or Superintendent whoever is in-charge of the concerned department/ section, where there is no post of Assistant Registrar.

(ii) in the Original Side of the High Court —

(a) Assistant Registrars of the respective departments

(b) Section Officer or Superintendent whoever is in-charge of the concerned department/section, where there is no post of Assistant Registrar.

(iii) in the Sadar/Sub-divisional courts — the senior most Civil Judge (Jr. Div.).

- 'Form' means the Forms appended to these Rules for enforcement of the provisions of this 'Act'.
- 'Section' means a section of this 'Act'

(2) Words and expressions used but not defined in these Rules shall be the same meanings as are assigned to them irrespectively in the 'Act'.

3. Request for obtaining information :—

A request for obtaining information may be made in writing or through electronic means in English, Hindi or Bengali accompanying a fee as prescribed below, by the person who desires to obtain the information to the Public Information Officer or the Assistant Public Information Officer, specifying the particulars of the information sought by him or her in the form prescribed below :—

In case the request cannot be made in writing the concerned Public Information Officer shall render all reasonable assistance to that person to reproduce the same in writing.

All other provisions of section 6 of the Act shall apply in this respect.

4. Disposal of requests :—

For disposal of the requests under section 6 of the Act, the Public Information Officer or the Assistant Public Information Officer shall follow the provisions of section 7 of the 'Act'.

5. Protected/exempted information :—

The Public Information Officer or the Assistant Public Information Officer as the case may be, shall have no obligation to give information to any citizen in the matter disclosure of which has been exempted under Section 8 of the Act.

6. Appeal:—

An appeal under section 19 of the 'Act' may be preferred to the Appellate Authority, by the person who does not receive a decision within the time specified in section 7(3)(1)(a) of the Act or who is aggrieved by the decision of the Public Information Officer or the Assistant Public Information Officer, as the case may be, within the time prescribed under section 19 (1) of the Act which may be extended as per provision of that section i.e. section 19 (I) of the Act.

All other provisions of the Act shall apply for effective enforcement of the provisions relating to the information as per Section 2(f) of the Act.

7. Penalties :—

(1) Whoever being bound to supply information fails to furnish the information asked for under the Act within the time specified or fails to communicate the rejection order, shall be liable to pay a penalty up to fifty rupees per day for the delayed period beyond thirty days subject to a maximum of five hundred rupees per application filed under rule 3 as may be determined by the Appellate Authority.

(2) where the information supplied is found to be false in any material particular and which the person is bound to supply it knows and has reason to believe it to be false or does not believe it to be true, the person supplying the information shall be liable to pay a penalty of one thousand rupees, to be imposed by the Appellate Authority provided that the Public Information Officer or the Assistant Public Information Officer, as the case may be, shall be given a reasonable opportunity of being heard before the penalty is imposed on him.

8. Suo motu publication of Information by public authorities :—

(1) the public authority shall suo motu publish information as per sub-section (1) of Section 4 of the Act by publishing book lets and/or folders and/or pamphlets and up date these publications every year as required by sub-section (1) of Section 4 of the Act.

(2) Such information shall also be made available to the public through information counters, medium of internet and display on notice board at conspicuous places in the office of the authorized person and the Appellate Authority.

9. **Fees :—**

(1) The authorized person shall charge the fee at the following rates :—

A. Application Fee —

(i)	information relating to tenders documents/bids/quotation/business contract :	Five hundred rupees per application
(ii)	information other than above	Fifty rupees per application

B. **Other Fees—**

S1. No	Description of Information	Price/fee in rupees
1.	Where the information is available in the form of a priced publication	Price so fixed
2.	For other than priced publication	Five per page

(2) The Appellate Authority shall charge a fee of fifty rupees per appeal.

By order of the High Court

RAGHU NATH RAY
Registrar General-in-charge,
High Court, Calcutta.

Registered No. WB/SC - 320

No. WB/CPS/K-41 (Part I)/2011

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PART I - Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

HIGH COURT AT CALCUTTA

NOTIFICATION

No. 8101-G -7th September, 2011— The following amendments which have been made by the High Court at Calcutta to Rule **9** of the existing **The Calcutta High Court (Right to Information) Rules, 2006,** as promulgated under Court's Notification No. 133-G dated 9th January 2007, are published for general information.

The amendment will take effect from the date of its publication in the Official Gazette.

AMENDMENTS

1. In Rule **9 (1) A (ii)** under the heading **Application Fee** - the words as it appears under *'(ii) Information other than above'*, ***"Fifty rupees per application"*** be replaced with the words ***"Ten rupees per application".***

2. In Rule **9 (1) B** 2, under the heading **Other Fees,** the words ***"Five per page"*** as it appears in ***Price / fee in rupees*** *column,* corresponding to the description as mentioned in 2 *under the heading* - ***"Description of Information"*** be replaced with the words "***Two per page".***

3. **The Rule 9 (2) is hereby repealed.**

4. **After Rule 9, Rule 10 be inserted in the following manner :**

"Rule 10 - Mode of payment of Application fee - Application Fee shall be by Court Fee Stamps / IPO / Demand Draft / ***Banker's Cheque."***

By order of the High Court,

M. P. SHRIVASTAVA
Registrar General
High Court, Calcutta

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FORM 'A'

Form for application/request for obtaining information

To

The Public Information Officer/The Assistant Public Information Officer

1. Name of the Applicant

2. Address

3. Particulars of information -

(a) Concerned department

(b) particulars of information required

(i) details of information required

(ii) period for which information asked for

(iii) other details

4. I state that the information sought does not fall within the restrictions contained in Section 6 of the Act and to the best of my knowledge it pertains to your office.

5. A fee of Rs..... has been deposited in the office of the authorized person vide No. ..... dated .....

Signature of the Applicant

Dated :

Place :

FORM 'B'

Outside the jurisdiction of the authorized person

[rule 4(1)]

Date :.....

To

Sir/Madam,

Please refer to your application, I.D. No. .....dated ..... addressed to the undersigned regarding supply of information on .....

2. The requested information does not fall within the jurisdiction of this authorized person and, therefore, your application is being returned herewith.

3. You are requested to apply to the concerned authorized person.

Yours faithfully,

Dated :

Place :

FORM 'C'

Rejection Order

[rule 4(2) 1]

Date .....

To

Sir/Madam,

Please refer to your application, I.D. No. .....dated .....addressed to the undersigned regarding supply of information on .....

2. The information asked for can not be supplied due to following reasons :—

(i)

(ii)

3. As per section 19 of the Right to Information Act, 2005, you may file an appeal to the Appellate Authority within thirty days of the issue of this order.

Yours faithfully,

Dated :

Place :

FORM 'D'

Form of supply of information to the applicant

[rule 4(3)]

Date .....

To

Sir/Madam,

Please refer to your application, I.D. No. ..... dated ..... addressed to the undersigned regarding supply of information on.....

2. The information asked for is enclosed for reference.*

or

The following partly information is being enclosed.*

(i)

(ii)

The remaining information about the other aspects cannot be supplied due to following reasons :—*

(i)

(ii)

(iii)

3. The requested information does not fall within the jurisdiction of this authorized person.*

4. As per section 19 of the Right to Information Act, 2005, you may file an appeal to the Appellate Authority within thirty days of the issue of this order.

Yours faithfully,

Dated :

Place :

* Strike out if not applicable

FORM 'E'

Appeal under section 19 of the Right to Information Act, 2005

[rule 5(1)]

Date.....

To

Appellate Authority

Address :

1. Name of the Applicant
2. Address
3. Particulars of the authorised person

   (a) Name

   (b) Address

4. Date of submission of application in Form A
5. Date on which 30 days from submission of Form A is over
6. Reasons for appeal

   (a) No response received in Form B, or C within thirty days of submission of Form A [5(1) (a)]

   (b) Aggrieved by the response received within prescribed period [5(1)(b)] [copy of the reply receipt be attached]

   (c) Grounds for appeal

6. Last date for filing the appeal [See Rule. 5(3)]

7. Particulars of information —

   (i) information requested

   (ii) subject

   (iii) period

8. A fee of Rs. 50/- for appeal has been deposited with the authority vide Receipt No..... dated .....

Signature of Appellant

Dated :

Place :

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PART I- Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

HIGH COURT
Appellate Side
Calcutta

CORRIGENDUM

No. 4776-G. Dated, Calcutta, the 2nd August, 2008.

Forms 'A', 'B', 'C' , 'D' and 'E' annexed to "The Calcutta High Court (Right to information) Rules, 2006, promulgated under Court's Notification No. 133-G dated 9th January, 2007 as published in The Kolkata Gazette Extraordinary issue dated 2nd February, 2007 are substituted by the new Forms 'A', 'B, 'C', 'D' and 'E' published hereunder for general information.

By order of the High Court

S.K. CHAKRABARTI
Registrar General
High Court,
Calcutta.

FORM 'A'

Form for application/request for obtaining information

(Rule 3)

To

The Public Information Officer/The Assistant Public Information Officer

1. Name of the Applicant :

2. Address :

3. Particulars of information :

(a) Concerned department

(b) particulars of information required

(i) details of information required

(ii) period for which information asked for

(iii) other details

4. I state that the information sought does not fall within the restrictions contained in section 6 of the Act and to the, best of my knowledge it pertains to your office.

5. A fee of Rs..... has been deposited in the offic of the authorized person vide No..... dated .....

Signature of the Applicant.

Dated:

FORM 'B'

Outside the jurisdiction of the authorized person

Date :

To

Sri/Madam

Please refer to your application, ID No. ..... dated..... addressed to the undersigned regarding supply of information on .....

2. The requested information does not fall within the jurisdiction of this authorized person/is more closely connected with another public authority and, therefore, your application is being sent/transferred to..... the concerned authorized person for necessary action.

3. You are requested to contact the above mentioned public authority/authorized person.

Yours faithfully,

Dated

Place.

FORM 'C'

Rejection Order

(Rule - 5)

Date.....

To

Sir/Madam,

Please refer to your application, I.D. No. ..... dated..... addressed to the undersigned regarding supply of information on.....

2. The information asked for can not be supplied due to following reasons :-

(i)

(ii)

3. As per section 19 of the Right to Information Act, 2005, you may file an appeal to the Appellate Authority within thirty days of the issue of this order.

Yours faithfully,

Dated :

FORM 'D'

Form of supply of information to the applicant

(Rule - 4) Date .....

To

Sir/Madam,

Please refer to your application, I.D.No..... dated..... addressed to the undersigned regarding supply of information on .....

2. The information asked for is enclosed for reference*

or

The following partly information is being enclosed*

(i)

(ii)

The remaining information about the other aspects cannot be supplied due to following reasons :- *

(i)

(ii)

(iii)

3. The requested information does not fall within the jurisdiction of this authorized person. *

4. As per section 19 of the Right to Information Act, 2005, you may file an appeal to the Appellate Authority within thirty days of the issue of this order.

Yours faithfully,

Dated:

Place :

* Strike out if not applicable

FORM 'E'

Appeal under section 19 of the Right to Information Act, 2005.
(Rule -- 6)

Date .....

To

Appellate Authority

Address :

1. Name of the Applicant

2. Address

3. Particulars of the authorised person

   (a) Name

   (b) Address

4. Date of submission of application in Form A

5. Date on which 30 days from submission of Form A is over.

6. Reasons for appeal

   (a) No response received in Form B, or C within thirty days of submission of Form A |5(1)(a)|

   (b) Aggrieved by the response received within prescribed period |5(1)(b)|
   |copy of the reply receipt be attached|

   (c) Grounds for appeal

7. Last date for filing the appeal |See Rule 5(3)|

8. Particulars of information -

   (i) information requested

   (ii) subject

   (iii) period

9. A fee of Rs. 50/- for appeal has been deposited with the authority vide Receipt No..... dated.....

Signature of Appellant

Dated :

Place.

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PART I- Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

IN THE HIGH COURT AT CALCUTTA
APPELLATE SIDE

NOTIFICATION

No. 15209-G Dated, the 14th December, 2009

In exercise of the powers conferred under Section 28(1) of The Right to Information Act, 2005 (Act 22 of 2005) and pursuant to Rule 2(1) of the Calcutta High Court (Right to Information) Rules, 2006, The Acting Chief Justice of Calcutta High Court (Competent Authority) by His Lordship's order dated 9.12.2009 is hereby pleased to designate the "Appellate Authority" on the Appellate Side of the High Court at Calcutta and in the Subordinate Courts of a District as per requirement of the provisions of The Right to Information Act, 2005 read with The Calcutta High Court (Right to Information) Rules, 2006 falling within the jurisdiction of this High Court on the Appellate Side and in the Subordinate Courts of a District for the purpose of carrying out the provision of Act 22 of 2005.

Appellate Authority

"Appellate Authority" shall mean the REGISTRAR (ADMINISTRATION) of the High Court at Calcutta in its Appellate Jurisdiction and the DISTRICT JUDGE in the jurisdiction of the Subordinate Courts of a District.

By order of the High Court,

TARUN KUMAR GUPTA
Registrar General
High Court, Calcutta .

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